

**Attachment A: Section 17 Draft**

## 17.0. – OIL AND GAS FACILITIES

### 17.1. – Intent and Purpose.

*Note: This section has been updated to better reflect the language in SB 19-181.*

- A. Intent.** The intent of this section of the Land Use Code is to establish a regulatory framework for new oil and gas facilities (O&GFs), including recompletions to be located in the unincorporated areas of Larimer County in a manner that protects the public health, safety and general welfare, protects private property rights, protects environment and wildlife, and minimizes adverse impacts.
- B. Authority:** C.R.S. 29-20-104-(1) provides the County authority to regulate and review applications pertaining to the surface development of O&GFs.
- C. Purpose:** These regulations are necessary to:
1. Ensure a comprehensive land use process and transparent public process for the development of new O&GFs, including recompletions, in the unincorporated areas of the County.
  2. Provide for the managed development, installation, maintenance, modification, reclamation and removal of O&GFs without unreasonably discriminating against oil and gas developers and operators, or mineral interest owners.
  3. Minimize to the maximum extent possible the nuisance effects of O&GFs through the application of best available techniques and technologies.
  4. Promote and protect the public health, safety and welfare, and protect the environment and wildlife by minimizing the adverse impacts of O&GFs.
  5. Maximize protection of natural and cultural resources and public facilities.
  6. Strategically locate O&GFs to locate where adverse impacts from such operations can be avoided.
  7. Minimize and mitigate the extent and severity of adverse impacts that cannot be avoided.
  8. Confirm the financial, indemnification and insurance capacities of the oil and gas developer/operator to ensure timely and effective construction, production, removal and reclamation of O&GFs and infrastructure.
- D. Applicability:** These regulations shall apply to all new O&GFs, including exploration and recompletions, to be constructed on any property in all zoning districts in the unincorporated portions of Larimer County.
- E. Severability:** If any section, clause, provision, or portion of these regulations should be found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of the regulations in this section shall not be affected thereby and is hereby declared to be necessary for the public health, safety and welfare.

### 17.2. – Review Procedures and Required Permits.

*Note: Some members of the Task Force and stakeholders provided input that they would like to see a tiered process for reviews, including an administrative process for simpler, smaller projects. The County could consider defining an administrative process (e.g., PSP) for recompletions that do not exceed a*

*certain percentage in size greater than what exists, or perhaps require a building permit only for replacement of equipment.*

- A. General Requirements.** No person, firm or corporation shall establish, construct, build a new O&GF, including recompletions, without first having obtained required land use approval(s) and permits as required by this Code. Applications to the County for new O&GFs, including recompletions, may be submitted simultaneously with the Colorado Oil and Gas Conservation Commission (COGCC) permitting process, but approval by the County must be secured prior to construction.
- B. County Review Process:** All new O&GFs, including recompletions, in the unincorporated portions of Larimer County shall require approval of a Special Review application for the proposed facility as set forth in Section 4.5 of this Code. Application and submittal requirements for O&GFs are specified in the following Community Development Department application handouts:
1. Sketch Plan Review Application and Submittal Requirements for Oil and Gas Facilities.
  2. Neighborhood Meeting Submittal Requirements and Guidelines for Oil and Gas Facilities.
  3. Special Review Application and Submittal Requirements for Oil and Gas Facilities.
- C. County Permits.** Prior to the commencement of any construction activity for an O&GF, all required permits for such facilities shall be approved. Required permits include, but are not limited to:
1. Access permits,
  2. Development construction permit,
  3. Building permits for all qualifying buildings and structures,
  4. Electrical permits, and
  5. All federal, state and local permits.
- D. Non-County Permits:** County approval of an O&GF shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by any other applicable County Departments, local fire district, municipalities, or other applicable public agencies.
- E. Technical Expert Review:** Applications for O&GFs may involve complex technical issues that require review and input that is beyond the expertise of County staff. If such a situation arises, the Community Development Director may commission a third-party review of the relevant subject matter and require the applicant to pay reasonable costs for the third-party review. Selection of a third-party expert(s) to review portions the proposal will be at the discretion of the County.

### **17.3. – Standards Required for all Oil and Gas Facilities.**

- A. General:**
1. In addition to the standards and requirements of this Section 17, all other relevant standards and regulations set forth in this Code shall also apply.
  2. All applications for new O&GFs, including recompletions, shall meet all applicable federal, state and local standards and regulations pertaining to the development and operation of such facilities. When the standards and regulations contained herein

conflict with the standards and requirements of another agency, the stricter standard shall apply.

*Note: The setbacks and buffers section below has been added since Draft 1 for Planning Commission and Board of County Commissioner discussion. The Task Force did not review this section.*

**B. Setbacks:**

1. The minimum required setbacks for buildings and structures set forth in the applicable zoning district shall apply to the proposed O&GF.
2. In addition to the setbacks in paragraph 3 below, the setbacks set forth in Section 4.9 of this Code shall apply to proposed O&GFs to minimize their impacts on public health, safety, welfare, the environment, and agricultural operations.
3. To achieve the intent and purpose of this Section 17, the following minimum setbacks for O&GFs shall be required, unless more restrictive setbacks are required by the rules of the COGCC:
  - a. 1,000-foot setback from a residential building or platted residential lot
  - b. 2,000-foot setback from a high occupancy building including schools, registered day cares, nursing homes.
  - c. 500-foot setback from a water body or designated outside activity area
4. To achieve the objectives of Section 17.1.C., the Board of County Commissioners may, on a case by case basis, require an increase to these minimum setbacks.
5. The Board of County Commissioners may allow a reduction of the minimum setbacks when it has been determined that the applicant has adequately demonstrated that the setbacks prohibit access to the mineral interests being sought, and the reduced setbacks will achieve to the extent practicable the objectives of this code.

**C. Air Quality:**

1. **An Air Quality Report/Plan** shall be submitted with all O&GF applications. The report/plan shall demonstrate how the development and operation of the facility will avoid and/or mitigate adverse impacts to air quality and demonstrate compliance with and implementation of standards in Sections 17.3.C. and 8.11 of this Code.
2. In addition to all federal and state laws, rules and regulations, applications for O&GFs shall demonstrate how exploration, construction and standard operations of a O&GF, including traffic and construction equipment, will comply with the rules and regulations of the Colorado Air Quality Control Commission (AQCC). Information to be provided shall include all appropriate applications of notifications and permits for sources of emissions.
3. Reduced Emission Completions shall be used for all completions and well workovers following hydraulic fracturing. Such completions shall include the use of Best Management Practices including, when available, the following unless an equal or better system exists:

- a. Except for very small productions, closed loop, pitless drilling, completion systems, without permanent on-site storage tanks, for the containment and/or recycling of all drilling, completion and flowback fluids.
  - b. Flaring only allowed during emergencies or upset conditions. When allowed, routing and control of all emissions to a flare or combustor shall provide at least 98% destruction or removal efficiency.
  - c. Zero emission desiccant dehydrators.
  - d. Emission controls of 90% or better for glycol dehydrators.
  - e. Pressure-suitable separator and vapor recovery units.
  - f. No-bleed continuous and intermittent pneumatic devices.
  - g. Automated tank gauging.
4. O&GFs shall be equipped with electric-powered engines for motors, compressors, drilling and production equipment, and pumping systems unless no adequate electricity source is available or it is technically infeasible.
  5. During exploration and construction, the applicant shall demonstrate that all facilities on the site, including traffic and construction equipment, complies with all AQCC rules and regulations.
  6. O&GF applications shall include operational provisions to reduce emissions on Air Quality Action Advisory Days posted by the Colorado Department of Public Health and Environment (CDPHE) for the Front Range area. The provisions shall include how alerts are received, outline specific emission reduction measures, and include requirements for documenting the measures implemented. Measures should include:
    - a. Minimizing vehicle traffic and engine idling,
    - b. Reducing truck and worker traffic,
    - c. Delaying vehicle refueling,
    - d. Suspending or delaying use of fossil fuel powered equipment,
    - e. Postponing construction and maintenance activities,
    - f. Postponing well maintenance and liquid unloading that would result in emission releases to the atmosphere, and
    - g. Postponing or reducing operations with high potential to emit VOC's of NOx's.

**D. Leak Detection and Repair:**

1. **A Leak Detections and Repair Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques, methods and protocols that will be utilized at the proposed O&GF to identify, prevent, contain, document, repair and report leaks, and it shall demonstrate how it will comply with and implement the standards in this Section 17.1.3.F.
2. Operators shall conduct leak detection and repair inspections at the frequency required by the APCD for the emission source using modern leak detection technologies and equipment. The results of said inspections, including all corrective actions taken, shall be reported to the Larimer County Department of Health and Environment (LCDHE) and County Local Government Designee (LGD) upon request.
3. All verified leaks at an O&GF shall be reported to the LCDHE and LGD within 24-hours of the detection of the leak.

4. Repair of verified leaks shall occur within 72 hours of detection. If it is anticipated that a repair will take longer than 72 hours, the operator shall provide a written explanation to the LCDHE and the LGD as to why more time is required and how the leak will be contained. If a leak is not repaired within 72-hours, the O&GF shall be shut-in until the leak is repaired.
5. Equipment leaks that pose an imminent safety risk to persons, wildlife, or the environment shall undergo emergency shut down and not be allowed to operate until the operator has provided evidence that the leak has been repaired.
6. At least annually, operators shall provide a 2-week notice of a routine leak inspection to the LCDHE and LGD inviting them to attend and observe the inspection.

**E. Odors:**

1. **An Odor Mitigation Plan** shall be required for all O&GF applications indicating how the operations will prevent odors from adversely impacting the public and wildlife and further demonstrating compliance with the standards in this Section 17.1.3.H.
2. Oil and gas operations shall comply with the CDPHE, AQCC, Regulation No. 2 Odor Emission, 5 Code of Colorado Regulations 1001-4.
3. Proposed O&GFs shall provide protocols for immediate response to odor complaints that include options for ceasing operations, notification of affected residents, and temporary relocation of residents until the source of the odor is identified and resolved.
4. The operator shall communicate the schedule/timing of well completion activities to adjacent and nearby residents which could include an online portal. As part of the application, provide information on how notifications will be communicated to the public.
5. The Odor Mitigation Plan shall include control strategic which shall be implemented upon receipt of an odor complaint(s) or as required by the County. These Odor control strategies may include the following:
  - a. Odorants, that are not a masking agent, shall be added to chillers and mud systems.
  - b. Operators shall not use odor masking agents or additives.
  - c. Filtration systems and/or additives to minimize, not mask, odors from drilling and fracturing fluids shall be utilized in the drilling and flowback processes.
  - d. Additives intended to eliminate odors generated by the operations of an O&GF shall not create a separate odor.
  - e. Enclosed shale shakers shall be utilized to contain fumes from exposed mud.
  - f. Drilling activities shall utilize minimum low odor Category III drilling fluid or non-diesel-based drilling muds that do not contain benzene, toluene, ethylbenzene or xylene (BTEX).
  - g. Wipe down drill pipe as they exit the well bore each time.

**F. Water Quality and Water Bodies:**

1. **A Water Quality Report/Plan** shall be submitted with all O&GF applications. The report/plan shall demonstrate how the development and operations of the facility will avoid impacts to surface and ground waters in Larimer County, and demonstrate compliance with and implementation of standards in Sections 17.3.D. and 8.12 of this Code.

2. Baseline and subsequent water source tests, as typically required by and submitted to the COGCC and CDPHE, shall be provided to the LCDHE and the LGD for the life of the facility and any post-closure assessments, if approved by the owner(s) of the water well. It is recommended that the operator also post these reports online for public/access transparency.
3. The application shall provide documentation indicating how the COGCC water quality protection standards are being implemented.
4. Locating O&GFs within a Federal Emergency Management Agency (FEMA) designated 100-year floodplain shall not be allowed unless no other location is feasible, and all other appropriate permissions are obtained.
5. New wastewater injection wells shall not be allowed.
6. The requirements of this Section 17.4.D shall not prevent discharges reviewed and permitted by the CDPHE Water Quality Control Division, the EPA, and the Army Corps of Engineers.

**G. Spills and Releases:**

1. **A Spill Prevention Control and Countermeasure Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques, methods, and protocols to be utilized at the proposed O&GF to prevent, contain, document and report any spills or releases, and shall demonstrate compliance with and implementation of the standards in this Section 17.3.E.
2. An Emergency Response Plan shall be provided that includes evacuation plans and routes, inventory of emergency response supplies, notification requirements and annual open house training for emergency services personnel to become familiar with the site.
3. Secondary containment shall be required which is capable of holding 125% of the total capacity of on-site containment vessels and storage tanks.
4. Unloading areas shall be designed to contain potential spills or direct spills into other secondary containment areas
5. Containment systems constructed of steel rimmed berms, or similar impervious surfaces that are equal to or better, shall be used for all secondary containment areas.
6. Any spill or release of greater than 25 gallons on an O&GF, including those thresholds reportable to the COGCC, shall upon discovery, be immediately reported to the following Local Emergency Response Authorities in Larimer County:
  - a. Larimer County Sheriff – Public Safety Answering Point (PSAP) (9-1-1)
  - b. Larimer County Department of Health and Environment,
  - c. Local Fire Department/District,
  - d. Local Municipal Police Department if within in mile of a City or Town,
  - e. Larimer County Oil and Gas LGD, and
  - f. Larimer County Local Emergency Planning Committee (within 24-hours).
7. All spills or releases, whether reportable or not, shall be cleaned up immediately and to the satisfaction of the local emergency response authorities, listed in the Spill Prevention Control and Countermeasure Plan.

**H. Noise:**

1. **A Noise Report and Mitigation Plan** shall be required for all O&GF applications. The plan shall demonstrate how the operations will mitigate noise impacts to comply with



the noise standards contained in this Section 17.3.G. The report and plan shall include the following:

- a. A three-day (one day being a weekend day) baseline noise analysis.
  - b. Modeled decibel levels for various phases of development shall be presented using contour maps to radii of 350 feet from the site of operation/noise source (per COGCC) or at the property line of an adjacent land use, whichever is closer.
  - c. A plan of proposed mitigation measures to be implemented by the oil and gas operations during all stages of compliance with the maximum permissible noise levels as listed in Section G.2 below.
2. Noise generated from O&GFs shall comply with the following maximum permissible noise levels appropriate for the zoning and adjacent land uses as determined by the County:

<u>ZONE AREA DESIGNATIONS</u>	<u>7:00 am to next 7:00 pm</u>	<u>7:00 pm to next 7:00 am</u>
Residential/Agricultural/Rural	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)
Light Industrial	70 db(A)	65 db(A)
Industrial	80 db(A)	75 db(A)

In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted above may be increased by ten (10) db(A) for a single period of not to exceed fifteen minutes in any one-hour period. Night-time levels between 7:00 p.m. and the next 7:00 a.m. shall not be exceeded therefore requiring strategic planning of noise-inducing activities to be conducted during daytime hours at the site.

- 3. Decibel levels produced by the O&GF shall meet the identified level for the appropriate zoning area designation of the adjacent land use. Zones as defined by Article 12 – Noise abatement of the Colorado Revised Statutes (C.R.S.) 25-12-102 will be considered as part of the County’s determination for surrounding land uses.
- 4. In remote locations, where there is no reasonably proximate occupied structure or Designated Outside Activity Area (COGCC), the light industrial standard may be applicable as determined by the County.
- 5. Decibel levels shall be measured at least 350-feet from the boundary of the operation/noise source (from source or sound wall per COGCC) or at the property line of the adjacent land use, whichever is greater.
- 6. Construction of O&GFs, including drilling/well completions, recompletions, and pipeline installations, shall be subject to the maximum permissible noise levels specified for light industrial zones for the period within which construction is being conducted.
- 7. Quiet design mufflers (i.e., hospital grade or dual dissipative) or equal to or better than noise mitigation technologies shall be utilized for non-electrically operated equipment.
- 8. Motors, Generators, and engines shall be enclosed in acoustically insulated housings or covers.

**I. Dust:**

- 1. **A Fugitive Dust Control Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques and methods to be utilized at the proposed O&GF to prevent or mitigate fugitive dust generated by the construction and operations of the proposed



O&GF and shall demonstrate compliance with and implementation of standards in Sections 17.3.I and 8.11 of this Code.

2. Best management practices (BMPs) for the mitigation of dust associated with on-site operations and traffic activities shall be employed at the facility. The BMPs shall be outlined in the Fugitive Dust Control Plan.
3. Produced water and other process fluids shall not be used for dust suppression unless adequately pretreated so that it does not create odors and has been approved for land application by CDPHE Water Quality Control Division.
4. Safety Data Sheets (SDSs) shall be provided with the application for any proposed chemical based dust suppressants.
5. Unless otherwise approved by the County Health and Engineering Departments, only water will be used for dust suppression activities within 300-feet of the ordinary high-water mark of any body of water.

**J. Access:**

1. **A Traffic Impact Analysis and Routing Plan** shall be submitted with all O&GF applications. The plan shall disclose routing alternatives and transportation infrastructure improvements proposed for the proposed O&GF to mitigate projected transportation impacts and demonstrate compliance with and implementation of the standards in this Section 17.3.E.
2. Designs for private access drives shall conform to the Local Low Volume cross section found in the Larimer County Rural Area Road Standards and shall include the following:
  - a. The first 50 feet of access drive from the edge of pavement of the adjacent road will be paved, or made of an approved all weather surface, and the remaining portions of the access drive shall be composed of a minimum of 6 inches of compacted Class 5 road base.
  - b. The access drive entrance shall include returns with a 30-foot radius.
  - c. A mud and debris tracking pad shall be located at the end of the paved portion of the access drive.

**K. Chemical Handling:**

1. **A Chemical and Hazardous Materials Report and Handling Plan** shall be submitted with all O&GF applications. The plan shall disclose the type of hazardous and non-hazardous materials and chemicals that will be used on the site of the proposed O&GF, including how they will be handled to prevent spills and demonstrate compliance with and implementation of standards in this Section 17.3.K.
2. Prior to any hydraulic fracturing activity, the Operator shall provide the County with a copy of the Chemical Disclosure Registry form provided to the COGCC pursuant to the COGCC's "Hydraulic Fracturing Chemical Disclosure".
3. Drilling and completion chemicals shall be removed from the site within sixty (60) days of the drilling completion.

**L. Recycle, Reuse and Disposal of Fluids:**

1. **A Waste Management and Disposal Plan** shall be submitted with all O&GF applications. The plan shall document the techniques and methods of the proposed O&GF to manage wastes generated on the site and demonstrate compliance with and implementation of the standards in this Section 17.3.L.
2. Drilling, completion flowback, and produced fluids shall be recycled or reused whenever

technically feasible.

3. If not to be recycled or reused onsite, exploration and production waste may be temporarily stored in tanks for up to 30-days while awaiting transport to licensed disposal or recycling sites.
4. Produced water shall be recycled or reused or shall be transported by pipeline unless easements are not available.
5. The Operator shall take precautions to prevent adverse environmental impacts to air, water, soil, or biological resources to the extent necessary to protect public health, safety and welfare, including the environment and Wildlife Resources to prevent the unauthorized discharge or disposal of oil, gas, Exploration and Production Waste, chemical substances, trash, discarded equipment, or other oil field waste.
6. The requirements of this Section 17.3.L shall not prevent discharges and beneficial uses reviewed and permitted by the CDPHE Water Quality Control Division and the Environmental Protection Agency (EPA).

**M. Lighting and Visual Impacts:**

1. For all phases of the development of the site, the application shall demonstrate compliance with the visual and aesthetic rules of COGCC and the Larimer County Land Use Code for landscaping, fencing and lighting set forth in Section 8.
2. All O&GFs shall be painted with colors that are matched to or slightly darker than the surrounding landscape, and shall utilize paint with uniform, non-contrasting, nonreflective color tones based upon the Munsell Soil Color Coding System.
3. The location of all outdoor lighting shall be designed to minimize off-site light spillage and glare using best practices recognized by the International Dark-Sky Association. See Section 8.15, Lighting Standards.
4. For all phases of site development, fencing shall be installed for security and visual aesthetics of the use.
5. Sound or screening wall to mitigate for noise during well completion may be required if the O&GF is within 2,000 feet of residential buildings or lots, if electric requirement is appealed.
6. O&GFs applications shall minimize removal of trees and vegetation on the site.
7. Landscaping and/or fencing for screening and visual quality as viewed from public rights-of-way and nearby residential areas shall be required within 6 months from the time of well completion and in accordance with requirements for the zoning district.
8. O&GF applications shall demonstrate compliance with weed control requirements of the County Weed District and Forestry Services Department, including for access roads serving the facility.

*Note: Environmental and health advocacy groups would like the next section, Well Plugging and Abandonment, to be more extensive and address noticing requirements and inspections after removal. The industry groups noted that this is down hole regulation and therefore not included in the SB 19-181 granted authority.*

**N. Well Plugging and Abandonment:**

1. **A Reclamation Plan** shall be submitted. The plan shall demonstrate how well abandonment and reclamation shall comply with the COGCC rules and shall include the following information:

- a. Removal of all equipment from the well site,
- b. Restoration of the site surface to the conditions of the site reclamation plan,
- c. Notice to the County LGD of the commencement and completion of such activity, and
- d. Coordinates for the location of the decommissioned well(s), and any associated gathering or flow lines, shall be provided with the notice of the completion of well abandonment.
- e. Question: Should we include water testing/monitoring for a certain amount of time post plugging/abandoned wells to monitor that they are in sound condition and not leaking into water. This could be a condition of approval for certain sites (e.g., nearing high occupancy buildings, water reservoirs, drinking water wells.)

**O. Well Liquids Unloading:**

1. Best management practices, including artificial lift, automated plunger lifts and at least 98% emission reductions when utilizing combustion to control venting shall be employed at all facilities unless technically infeasible.
2. Approved manual unloading shall require on-site supervision of the unloading process.

**P. Flammable Materials:**

1. The location of flammable materials on site shall conform to all COGCC safety standards and local fire codes.
2. A minimum 25-foot buffer, free of weeds and dried grasses, shall be required around flammable materials or equipment.

**Q. Waste Disposal:**

1. **A Waste Management and Disposal Plan** shall be submitted with all O&GF applications. The plan shall document the techniques and methods of the proposed O&GF to manage wastes generated on the site and demonstrate compliance with and implementation of the standards in this Section 17.3.Q.
2. Oil and gas facilities shall remain free of debris and excess materials during all phases of operation.
3. Burning of debris, trash or other flammable material is not allowed.
4. Temporary storage of materials (up to 30-days) may be allowed with installation of screening to mitigate from aesthetic impacts from public rights-of-way or if requested by landowner.

**R. Removal of Equipment:**

1. There shall be no permanent storage of equipment (i.e., vehicles, trailers, commercial products, chemicals, drums, totes, containers, materials, and all other supplies not necessary for uses on an oil and gas location) on the site of an oil and gas facility.
2. When not in use, or if no longer needed for on-site operations, all equipment not being used on the site shall be removed.

**S. Maintenance of Machinery:**

1. Statewide Best Management Practices shall be used to prevent contamination of soils and stormwater runoff, including equipment and vehicle maintenance and fluid containment.
2. There shall be no maintenance of field equipment involving hazardous materials within 300-feet of a water body.

3. Any fueling on-site shall occur over an impervious surface with a bermed secondary containment and sump in case of a spill and shall not occur during storm events.

**T. Flow Lines, Transfer Lines, and Gathering Lines:**

1. All off-site lines transporting process materials, production wastes, product and any other items used or generated by the facility shall be located to avoid existing or proposed residential, commercial, and industrial buildings, places of assembly, surface waterbodies and designated open spaces. Buried pipelines shall be a minimum of 4-feet deep and shall be of detectable material which could include the addition of tracer wire to ensure detection during buried utility locating.
2. The location of pipelines shall be evaluated on a case-by-case basis, with the determining locational factor being the size and type of pipeline being proposed.
3. Coordinates of all flow lines, gathering lines, and transfer lines shall be provided.

**U. Temporary Water Lines:**

1. Temporary waterlines shall be used, unless development is not within a water service area.
2. Temporary waterlines shall be buried at all existing driveway and road crossings, or utilize existing culverts, if available.

**V. Financial Assurance:**

1. The Applicant shall demonstrate the financial capability to reclaim all disturbed areas during each phase of the site development and following termination of the oil and gas operation on the site. This shall include meeting any state requirements, and any additional requirements the County deems necessary to protect the public health, safety, and welfare.
2. The Applicant shall, for the life of the use, carry customary and usual environmental liability insurance.

**17.1. XX – Additional Application Requirements.**

- A. In addition to the items specified as required in Section 17.3., the applicant shall provide:
  1. A site inventory map.
  2. A Safety Management Plan.
  3. A Site Security Plan.
  4. A surface use agreement.
  5. A statement verifying the legal right to extract the mineral resources.

**17.4. – Appeals.**

- A. Section 22 of this Code shall provide direction for all appeals to standards, processes and provisions of this Section 17.

**17.5. – Enforcement and Inspections.**

- A. Applications for O&GFs shall demonstrate compliance with this and all other relevant Sections of this Code. Failure of an Operator to maintain compliance with the County approval of an O&GF may result in the revocation of the approval pursuant to the procedures in Section 12 of the Land Use Code. The County retains the right to seek whatever remedy or redress is legally allowable.
- B. The County reserves the right to inspect the property for compliance.

**17.6. – Fees and Security for Reclamation.**

- A. The following fees are applicable to oil and gas facilities:
  - a. A Capital Transportation Impact fee.

**17.7. – Termination of Use or Modifications.**

- A. No modification to an approved O&GF shall be made without obtaining appropriate land use approvals from the County.
- B. Upon termination of use, the O&GF shall be reclaimed pursuant to the reclamation plan provided.

**17.8. – Definitions.**

- A. Unless otherwise listed herein, the definitions found within the C.R.S. and Colorado Oil and Gas Conservation Commission (COGCC) regulations shall apply.